

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

UNITED STATES OF AMERICA, ) INFORMATION *CR 08-348 JMR*  
Plaintiff, )  
v. ) (18 U.S.C. § 1343)  
GAYLE JANIS SCHMIDT, ) (18 U.S.C. § 1030(a)(4))  
Defendant. )

THE UNITED STATES ATTORNEY CHARGES THAT:

COUNT 1  
(Wire Fraud)

1. From in or about October 2000 through in or about February 2007, in the State and District of Minnesota, the defendant,

GAYLE JANIS SCHMIDT,

for the purpose of executing a scheme to defraud and obtain a thing of value by materially false and fraudulent pretenses and representations, did knowingly transmit and cause to be transmitted in interstate commerce, by means of wire communications, certain signals and sounds, all in violation of Title 18, United States Code, Section 1343.

2. The defendant was employed by the University of St. Thomas, St. Paul, Minnesota, from at least September 1990 to February 2007. Since at least 1999, defendant worked in the accounting department of the University of St. Thomas Management Center.

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3. One of defendant's duties with the accounting department was to schedule and process payments for persons enrolled in seminars conducted by the University of St. Thomas. When a person cancelled his or her enrollment in a seminar, defendant was responsible for refunding the seminar fee. If the enrollment fee was paid using a credit card, defendant used the University of St. Thomas Internet-based credit card processing system to refund the enrollment fee by crediting the person's credit card account using funds drawn on bank accounts held by the University of St. Thomas at US Bank. Defendant accessed the Internet-based credit card processing system using a computer belonging to the University of St. Thomas and connected to the University of St. Thomas internal computer network.

4. In or about October of 2000, defendant devised a scheme to defraud the University of St. Thomas whereby she utilized the University of St. Thomas Internet-based credit card processing system to transfer funds from bank accounts held by the University of St. Thomas at US Bank to her own credit card accounts. From October 2000 through in or about February 2007, defendant knowingly and without authorization made more than 120 separate transfers of funds, totaling approximately \$122,000, to four credit card accounts held in her name (XXXX-XXXX-XXXX-1963, XXXX-XXXX-XXXX-2472, XXXX-XXXX-XXXX-8414, and XXXX-XXXX-XXXX-8762). Defendant

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diverted the money fraudulently obtained from the University of St. Thomas for personal use.

5. In accessing and utilizing the Internet-based credit card processing system to fraudulently obtain money from the University of St. Thomas bank accounts, defendant engaged in interstate wire communications. Defendant was not authorized to use the University of St. Thomas computer system or the Internet-based credit card processing system to obtain money for her personal use.

6. In furtherance of the scheme to defraud, the defendant knowingly caused to be transmitted in interstate commerce, by means of wire communications, certain signals and sounds for the purpose of executing the scheme, in violation of Title 18, United States Code, Section 1343. In particular, on or about, February 14, 2006, defendant used the University of St. Thomas Internet-based credit card processing system to place a credit for \$1895.00 on her own credit card account (XXXX-XXXX-XXXX-2472).

COUNT 2

(Unauthorized Access to a Protected Computer)

7. On or about February 12, 2007, in the State and District of Minnesota and elsewhere, the defendant,

GAYLE JANIS SCHMIDT,

knowingly and with the intent to defraud, accessed a protected computer without authorization and exceeded authorized access to a

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protected computer, and by means of such conduct furthered the intended fraud and obtained a thing of value in violation of Title 18, United States Code, Section 1030(a)(4). In particular, on or about, February 12, 2007, defendant used the University of St. Thomas Internet-based credit card processing system to place a credit for \$1795.00 on her own credit card account (XXXX-XXXX-XXXX-8762).

FORFEITURE ALLEGATIONS

Counts 1 and 2 of this Information are hereby realleged and incorporated as if fully set forth herein by reference, for the purpose of alleging forfeitures pursuant to Title 18, United States Code, Sections 981(a)(1)(C) and 982(a)(2)(B), and Title 28, United States Code, Section 2461(c).

As a result of the offenses alleged in Counts 1 and 2 of this Information, the defendant shall forfeit to the United States pursuant to Title 18, United States Code, Sections 981(a)(1)(C) and 982(a)(2)(B), in conjunction with Title 28, United States Code, Section 2461(c), all her right, title and interest in any property constituting, or derived from, proceeds traceable to the violations of Title 18, United States Code, Sections 1030 or 1343.

If any of the above-described forfeitable property is unavailable for forfeiture, the United States intends to seek the forfeiture of substitute property as provided for in Title 21,

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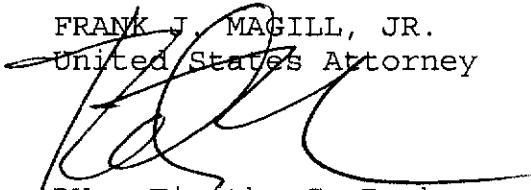
United States Code, Section 853(p), as incorporated by Title 18, United States Code, Sections 982(b)(1) and 2461(c).

All in violation of Title 18, United States Code, Sections 1030 and 1343, and Title 18, United States Code, Sections 981(a)(1)(C) and 982(a)(2)(B), in conjunction with Title 28, United States Code, Section 2461(c).

Dated:

*November 17, 2008*

FRANK J. MAGILL, JR.  
United States Attorney

  
BY: Timothy C. Rank  
Assistant U.S. Attorney  
Attorney ID No. 245392